

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RUSTY T. LONG,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-06-103-L
)	
)	
JO ANNE B. BARNHART,)	
Commissioner, Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

On August 23, 2006, Magistrate Judge Doyle W. Argo entered his Report and Recommendation in this action brought by plaintiff for judicial review pursuant to 42 U.S.C. §405(g) of the defendant Commissioner's final decision denying plaintiff's application for disability insurance benefits. The Magistrate Judge recommended that the decision of the defendant Commissioner be affirmed.

The court file reflects that plaintiff has filed his Objections to the Report and Recommendation of the United States Magistrate Judge, which the court has carefully considered. While plaintiff takes issue with many of the Magistrate Judge's conclusions, it appears that plaintiff's arguments were properly considered by the Magistrate Judge in light of the entire record. Upon review of

petitioner's objections, the court finds that they are insufficient to justify overturning the conclusions of the Magistrate Judge. The Magistrate Judge properly found that the administrative law judge considered the adverse effects of plaintiff's mental ailments in formulating the RFC assessment. As for plaintiff's objections to the credibility analysis discussed in the Report and Recommendation, the court finds that the Magistrate Judge properly found that the administrative law judge's credibility analysis is sufficient and supported by substantial evidence. The Magistrate Judge properly found that there was no error in step five of the administrative law judge's decision.

The Magistrate Judge properly found that the record provides substantial evidence to support the decision to deny plaintiff's application for disability insurance benefits. Thus, upon *de novo* review, the court finds that the Report and Recommendation should be and is hereby adopted in its entirety.

Accordingly, the decision of the Commissioner is **AFFIRMED**.

It is so ordered this 18th day of October, 2006.



TIM LEONARD
United States District Judge